

REMARKS**I. Status of the claims**

Upon entry of this amendment, claims 1-9, 23, 24, 26, 27, 32, 33, 35, 37-39, and 41 are pending in this application. Of these, claims 1, 9, 23, 24, 26, and 27 are independent. Claims 1, 2, 9, 23, 24, 26, 27, 33, 35, and 37-39 are sought to be amended. In addition, new Claim 41 is sought to be added. Claims 10-20, 21, 22, 25, and 28-31, 34, 36, and 40 are canceled. Applicant believes that these changes introduce no new matter. Moreover, Applicant believes that these changes create no new issues. Accordingly, entry and consideration of this Amendment are respectfully requested.

II. Rejections under 35 U.S.C. §112

Claims 1, 9, 23, 24, 26, 27, and 29-32 are rejected under 35 U.S.C. § 112, second paragraph. As the basis of this rejection, the Examiner asserts that "an end point of irradiation" is indefinite. However, the meaning of this term is clearly defined on page 21 of the specification. Therefore, the rejection is improper and should be withdrawn.

III. Rejections under 35 U.S.C. § 102

Claims 1-9, 23, 24, 26, 27, 29, 30-32, 39 and 40 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,091,970 to Takeo (Takeo '970). Applicant respectfully requests that this rejection be withdrawn in view of the following remarks.

Claim 1

Independent claim 1, as amended, is directed to an image processing method that includes an evaluation step, which calculates a value representing an irradiation end. This representative value is calculated from first order differential values. Claim 1 further recites a step of judging an edge point of an irradiation area from the value calculated in the evaluation step.

Takeo '970 discloses that the presence or absence of a limited irradiation field is judged by comparing a representative value of an image signal, which corresponds to an

overall or part of peripheral portion, with a representative value of the image signal corresponding to the overall area or approximately a center portion. However, Takeo '970 is unable to judge whether an irradiation end is present in the overall or part of peripheral portion. Moreover, Takeo '970 is unable to judge the location of the irradiation end in the image. Accordingly, Takeo '970 neither discloses nor suggests any process corresponding to the evaluation and judgment steps, as recited in claim 1. For at least this reason, claim 1 and its dependent claims are patentable over Takeo '970.

Claims 23 and 26

Independent claims 23 and 26 recite features similar to those recited in claim 1. Accordingly, Applicant asserts that these claims are patentable over Takeo '970 for at least the reasons set forth above.

Claim 9

Independent claim 9 is directed to an image processing method. As amended, this method includes an evaluating step, which calculates an evaluation value for evaluating positional relations among coordinates of edge point candidates. Claim 9 further recites a judging step of judging whether photographing is performed by an imaging device having an irradiation diaphragm function in a state of irradiation diaphragm or in a state of no irradiation diaphragm. This step is based on the evaluation value calculated in the evaluating step.

Takeo '970 merely discloses that candidates for a contour of an irradiation field are obtained, and that the contour of the irradiation field is obtained from among the obtained candidates. Thus, it appears that Takeo '970 detects the contour of the irradiation field from the photographed image having a previously diaphragmed irradiation area.

For this reason, Takeo '970, is unable to judge whether the photographing is performed by the imaging device having the irradiation diaphragm function in the state of irradiation diaphragm or in the state of no irradiation diaphragm, as recited in claim 9. Accordingly, claim 9 and its dependent claims are believed to be patentable over Takeo '970.

Claims 24 and 27

Independent claims 24 and 27 recite features similar to those recited in claim 9. Therefore, these claims are also patentable over Takeo '970.

Claims 29-31

Claims 29 and 31 have been canceled, thereby rendering the rejection of these claims moot.

IV. Rejections under 35 U.S.C. § 103

Dependent claims 33-38 are rejected under 35 U.S.C. § 103 as being allegedly unpatentable over Takeo '970 in view of U.S. Patent No. 4,992,663 to Takeo (Takeo '663). Claims 34 and 36 have been canceled, thereby rendering their rejection moot. With respect to remaining claims 33, 35, 37, and 38, Applicant respectfully request that this rejection be withdrawn for at least the following reasons.

Takeo '663 fails to overcome the aforementioned deficiencies of Takeo '970. Accordingly, even if one of ordinary skill in the art were to combine the teachings of the cited references, the combination still would not possess all limitations recited in claim 9 from which claims 33, 35, 37 and 38 directly or indirectly depend. Accordingly, Applicant asserts that these claims are patentable over Takeo '970 and Takeo '663, taken alone or in combination.

CONCLUSION

Applicant respectfully submits that all of the stated grounds of rejection have been properly traversed accommodated or rendered moot. Thus, Applicant believes that the present application is in condition for allowance, and as such, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections, and allowance of this application.

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AUTHORIZATION

The Amendment is being timely filed. No fee is believed to be due by the filing. However, the Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 1232-4532.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 1232-4532.

Respectfully submitted,
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